

# EXHIBIT A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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INDYMAC BANK, F.S.B.,

Plaintiff,

– against –

NATIONAL SETTLEMENT AGENCY, INC.;  
STEVEN M. LEFF; RACHEL M. LEFF;  
RICHARD A. LEFF; JOHN DOES 1–100,

Defendants.

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Case No.: 07 cv 6865 (LTS)

**ORDER OF ATTACHMENT,  
PRELIMINARY INJUNCTION,  
AND ORDER ALLOWING  
EXPEDITED THIRD-PARTY  
DISCOVERY**

UPON plaintiff IndyMac Bank, F.S.B.'s Order to Show Cause dated August 6, 2007, the Affidavit of Nicholas J. Nyland sworn to August 1, 2007, the Declaration of David J. Galalis dated August 6, 2007, and the Memorandum of Law dated August 6, 2007, and due deliberation being had thereon;

AND plaintiff having filed a Summons and Complaint on July 31, 2007 and having filed the Order to Show Cause on \_\_\_\_\_ requiring the named defendants to show cause why: (1) an order of attachment pursuant to Fed. R. Civ. P. 64 and C.P.L.R. § 6201, and (2) a preliminary injunction pursuant to Fed. R. Civ. P. 65 should not be entered;

AND plaintiff having filed an undertaking in the sum of \_\_\_\_\_ pursuant to the Order to Show Cause;

AND the parties having appeared before this Court on \_\_\_\_\_;

AND the Court having determined that, pursuant to Fed. R. Civ. P. 64 and C.P.L.R. §§ 6201(3) and 6212: (a) plaintiff has causes of action whereby it has demanded and would be

entitled to a money judgment against the named defendants in the amount of \$2,349,150, plus interest, costs, and disbursements, (b) it is probable that the plaintiff will succeed on the merits of its claims against the named defendants, (c) that the named defendants, with intent to defraud the plaintiff or frustrate the enforcement of a judgment that might be rendered in the plaintiff's favor, have assigned, disposed of, and secreted property, and are about to continue such acts, and (d) that the amount demanded from the named defendants exceeds all counterclaims known to the plaintiff;

**IT IS HEREBY ORDERED THAT** the amount to be secured by this Order of Attachment shall be \$2,349,150 plus the legal rate of interest thereon from June 13, 2007, costs, and United States Marshals Service's fees and expenses; and it is further

**ORDERED** that, pursuant to Fed. R. Civ. P. 64 and C.P.L.R. § 6211, the United States Marshals Service of the Southern District of New York or of any district in the State of New York shall levy, at any time before final judgment, upon the assets of the named defendants, including any interest of the named defendants in personal or real property or any debt owed to the named defendants situated in the State of New York, as will satisfy the above-stated amount to be secured by this Order of Attachment; and it is further

**ORDERED** that, pursuant to Fed. R. Civ. P. 64 and C.P.L.R. § 6220, on or before \_\_\_\_\_, each defendant shall provide counsel for plaintiff a sworn affidavit enumerating in detail each and every bank account, parcel of real property, motor vehicle, watercraft, or other personal property of \$10,000 of value or more, and the location and garnishee of each; and it is further

**ORDERED** that, pending the final resolution of this action, or an Order of this Court directing otherwise, the named defendants and their garnishees, officers, directors, partners,

affiliates, agents, employees, assigns, and any entities or individuals acting on their behalf, are restrained and enjoined from directly or indirectly secreting, transferring, selling, alienating, concealing, encumbering, or otherwise dissipating any of the named defendants' assets, or paying any debt owed to the named defendants, up to \$2,349,150 plus interest, costs, disbursements, and fees, but excluding the ordinary and usual living and business expenses of the named defendants; and it is further

**ORDERED** that the plaintiff may immediately serve subpoenas upon JP Morgan Chase Bank, and any other third party, for any purpose, including but not limited to, locating and identifying the money that IndyMac entrusted to National Settlement Agency, locating and identifying any assets of the defendants, and locating and identifying other parties responsible for IndyMac's loss.

Dated: New York, New York

ENTER: \_\_\_\_\_  
United States District Judge

**FELDMAN WEINSTEIN & SMITH LLP**  
Attorneys for Plaintiff IndyMac Bank, F.S.B.

By: \_\_\_\_\_

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